

Case 1:23-cv-00079-ABJ Document 181-2 Filed 05/15/24 Page 1 of 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

Cheyenne Light, Fuel, and Power Company (“CLFPC”) (d/b/a Black Hills Energy), a subsidiary of Black Hills Corporation, is commanded to produce copies of the following documents to Patrick J. Murphy at WILLIAMS, PORTER, DAY & NEVILLE, P.C. at 159 N. Wolcott Street, Suite 400, Casper, WY 82601, or by emailing the documents to pmurphy@wpcdn.net by May 21, 2024 at 10:00 a.m., as follows:

DEFINITIONS

1. "Document" shall have the full meaning ascribed to it in Rule 34 of the Federal Rules of Civil Procedure and shall include every writing or record of every type and description, including, but not limited to, agreements, contracts, contract files, correspondence, memoranda, publications, pamphlets, promotional materials, studies, books, tables, charts, graphs, schedules, e-mails, text messages, photographs, films, voice recordings, reports, surveys, analyses, journals, ledgers, telegrams, stenographic or handwritten notes, minutes of meetings, transcripts, financial statements, purchase orders, vouchers, invoices, bills of sale, bills of lading, credit and billing statements, checks, manuals, circulars, bulletins, instructions, sketches, diagrams, computer programs, printouts, punch cards, tabulations, logs, telephone records, desk calendars, diaries, appointment books, computer data, tapes, and disks; and includes all drafts or copies of every such writing or record whenever a draft or copy of a document is not an identical copy of the original or where such draft or copy contains any commentary or notes that do not appear on the original.
2. "Communications" shall mean all written, oral, telephonic, electronic, e-mail, text, or other transmittal of words, thoughts, ideas, and images, including, but not limited to, inquiries, discussions, conversations, negotiations, agreements, understandings, meetings, letters, notes, telegrams, advertisements, press releases, publicity releases, trade releases, and interviews.

3. The term "relating to" shall mean directly or indirectly mentioning or describing, comprising, consisting of, referring to, reflecting on, or being in any way logically or factually connected with the matter discussed.

DOCUMENTS REQUESTED

- I. Please provide all documents and communications by, between, and among representatives of CLFPC, MineOne Wyoming Data Center LLC, CleanSpark, Inc., and CSRE Properties Wyoming, LLC, (a wholly owned subsidiary of CleanSpark, Inc) relating to the *Purchase and Sale Agreement*¹, dated May 8, 2024 by and among CSRE Properties Wyoming, LLC, Terra Crypto, Inc. and MineOne Wyoming Data Center, LLC that was filed with the U.S. Securities and Exchange Commission ("SEC") and is publicly available.

- II. Please provide all documents and communications by, between, and among representatives of CLFPC, MineOne Wyoming Data Center LLC, CleanSpark, Inc., and CSRE Properties Wyoming, LLC, (a wholly owned subsidiary of CleanSpark, Inc.), or any of them, relating to CLFPC's confirmations of "additional electrical power of 25 megawatts in North Range and 30 megawatts in Campstool (for the avoidance of doubt, the 75 megawatts are currently available, and 55 megawatts are conditional on utility load confirmation)." (see *Purchase and Sale Agreement*). Please note: this request includes the documents and communications relating to the source of the electrical power generation (i.e., coal or renewable) for (1) the 75 megawatts and (2) the 55 megawatts defined under the *Purchase and Sale Agreement* being confirmed and supplied to Buyer.

- III. Please provide Sections 2, 3, and 4 of the CHEYENNE LIGHT, FUEL AND POWER COMPANY BLOCKCHAIN INTERRUPTIBLE SERVICE ("BCIS") REQUEST FOR PROPOSAL ("RFP" or "competitive bid") submitted by BitMain Technologies Ltd., or any of Bitmain's subsidiary, holding, or partner companies, including but not limited to Bitmain Technologies Georgia Limited, Bitmain Delaware Holdings, Inc., Bitmain Switzerland AG, Bitmain Technologies Holding Company, AntPool, and AntAlpha. Please note: BCB Cheyenne LLC has knowledge and belief RFPs were submitted by Bitdeer, YZY Capital, Crypto Knight Hosting, and approximately 12 other companies. Please note: this request is relevant, targeted, and is requesting only the following sections in Bitmain's RFP submission: (1) Section 2 - Contact/Company Information, (2) Section 3 - Projection Specifics, and (3) Section 4 - Pricing Proposal.

¹ <https://contracts.justia.com/companies/cleanspark-inc-7310/contract/1283284/>

Please also note: All documents and communication requests under this subpoena are being done so on an emergency basis. CLFPC's counsel, Todd Brink, has been provided the protective order that was entered in this civil action on December 6, 2023. All documents and communication requested and provided under this subpoena are protected and treated as confidential under this civil action's protective order.

Please email the documents and communication in the request above to pmurphy@wpdn.net by **May 21, 2024 at 10:00 a.m.**

RESPECTFULLY SUBMITTED this 14th day of May 2024.

BCB CHEYENNE LLC d/b/a
BISON BLOCKCHAIN,

Plaintiff

By: 

Patrick J. Murphy, WSB No. 5-1779

Scott C. Murray, WSB No. 7-4896

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